

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**UNIQUE DEVELOPMENT GROUP,
LLC**

VS.

**NORMANDY CAPITAL TRUST and
COHEN FINANCIAL**

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CIVIL ACTION NO.: 18-cv-04542

**JOINT MOTION FOR CONTINUANCE OF TRIAL
DATE AND SCHEDULING ORDER**

TO THE UNITED STATES DISTRICT COURT JUDGE:

Plaintiff, UNIQUE DEVELOPMENT GROUP, LLC, and Defendants, NORMANDY CAPITAL TRUST and COHEN FINANCIAL, file this Joint Motion for Continuance of Trial Date and Scheduling Order, as follows:

1. This case was removed by the Defendants from the 189th Judicial District Court of Harris County, Texas on December 3, 2018. Defendants filed their first Motion to Dismiss for Failure to State a Claim on December 4, 2018 (ECF 5). This motion was denied on February 1, 2019 (ECF 20). Defendants then filed a second Motion to Dismiss on March 1, 2019 (ECF26), which was denied by the Court on October 9, 2019 (ECF 33). The Defendants then filed their answer on October 23, 2019 (ECF 34).
2. Pursuant to the Court's Scheduling Order, the Joint Pre-Trial Order is due on December 6, 2019 and Docket Call is scheduled for January 2, 2020 (ECF 32). No trial date has been set by the Court. Following the answer by the Defendants, counsel for the Defendants was out of the country from October 21, 2019 through November 3, 2019.

Plaintiff's corporate representatives were out of the country from October 1, 2019 through November 27, 2019.

3. The parties have been diligently attempting to resolve this case for the past three (3) weeks; however, additional time is needed to continue settlement discussions, conduct the deposition of a corporate representative of the Defendants and Plaintiff, and attend mediation in the event settlement cannot otherwise be reached. The parties have a good faith belief that this matter can be resolved with this additional time. The parties request that the Court grant an extension of approximately ninety (90) days and extend the following deadlines:

Mediation/ADR Deadline	February 7, 2020
Discovery Deadline	March 6, 2020
Dispositive Motions Deadline	April 3, 2020
Docket Call	June 2020

All parties agree to this continuance.

4. Plaintiff and Defendants respectfully request that the Court grant this Motion for Continuance and amend the Scheduling in this matter as set forth above.

Respectfully submitted,

UNDERWOOD * JONES * SCHERRER, PLLC

/s/ William B. Underwood, III

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded this 4th day of December, 2019, using the electronic case filing system of the Court to all counsel of record listed below in accordance with Federal Rule of Civil Procedure 5(b)(2):

Brandon Hakari
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Via E-File: bhakari@mccarthyholthus.com

/s/ William B. Underwood, III

WILLIAM B. UNDERWOOD, III